

PROB 12C
(7/93)**United States District Court**

for the

Eastern District of WashingtonReport Date: August 9, 2013
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**AUG 09 2013**SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: San Juanita Garcia-Ortega

Case Number: 2:09CR02102-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle, Senior U.S. District Judge

Date of Original Sentence: 12/6/2010

Original Offense: Conspiracy to Distribute Controlled Substance, 21 U.S.C. § 846

Original Sentence: Prison - 41 Months;
TSR - 60 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: 6/4/2012

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 6/3/2017

PETITIONING THE COURT✓ **To issue a warrant.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number **Nature of Noncompliance**

- 1 **Mandatory Condition #4:** The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as directed by the probation officer.

Supporting Evidence: Ms. Garcia-Ortega unlawfully used an illegal substance on the following dates: April 14, 20, and 28, 2013; and July 17, 2013. She signed admission forms, dated May 2, and July 17, 2013, admitting use of cocaine.
- 2 **Standard Condition #2:** The defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month.

Supporting Evidence Ms. Garcia-Ortega failed to report to the probation office between the first and the fifth of July 2013 and August 2013.
- 3 **Special Condition #16:** You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

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Supporting Evidence: Ms. Garcia-Ortega completed an evaluation on July 22, 2013, and she was referred to the relapse prevention program beginning July 29, 2013. Ms. Garcia-Ortega has failed to attend any of the treatment sessions and has been terminated from the program.

- 4 **Special Condition #17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Ms. Garcia-Ortega has failed to submit to random urine testing on the following dates: July 25, and 11, 2013; June 24, and 18, 2013; April 9, 2013; February 22, and 13, 2013; and December 12, 2012.

- 5 **Special Condition #18:** You shall complete 20 hours of community service work, at a non-profit organization, and provide verification. The hours are to be completed in full no later than July 31, 2013.

Supporting Evidence: Ms. Garcia-Garcia has failed to provide confirmation she completed the agreed upon 20 hours of community service by July 31, 2013.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/09/2013

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

August 9, 2013
Date